

The 26th December, 1985

No. 9/5/84-6Lab./11047.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Pankaj Woollen Mills, Near Prem Mandir, Panipat (Haryana).

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 102 of 1985

between

SHRI HUKAM CHAND, WORKMAN AND THE MANAGEMENT OF M/S PANKAJ WOOLLEN
MILLS, NEAR PREM MANDIR, PANIPAT, HARYANA

Present :—

None for workman.
None for respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shri Hukam Chand, workman and the management of M/s Pankaj Woollen Mills, Near Prem Mandir, Panipat (Haryana). The terms of the reference are as under :—

“Whether the termination of services of Shri Hukam Chand, workman, was justified and in order ? If not, to what relief is he entitled to ?”

Shri Hukam Chand, workman, alleged that he was in the service of respondent-management. His services were terminated in contravention of section 25 (F) of the Industrial Disputes Act, 1947. He has prayed for his re-instatement with continuity in service with full back wages.

Notice was served upon respondent. Respondent did not appear inspite of service. *Ex parte* proceedings were taken up against the management. To day the case was fixed for recording of *ex parte* evidence. Workman as well as his authorised representative both are absented, so this reference is dismissed in default.

Dated the 14th October, 1985.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

Endst. No. 2533, dated Ambala City, the 21st October, 1985.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab./11049.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Pankaj Woollen Mills, Near Prem Mandir, Panipat (Haryana).

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 86 of 1985

between

SHRI RAM SARUP, WORKMAN AND THE MANAGEMENT OF THE M/S PANKAJ
WOOLLEN MILLS, NEAR PREM MANDIR, PANIPAT (HARYANA)

Present :—

None, for workman.
None, for respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—*vide* clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shri Ram Sarup workman and the management of M/s. Pankaj Woollen Mills, Near Prem Mandir, Panipat. The terms of the reference are as under :—

- Whether the termination of services of Shri Ram Sarup workman was justified and in order ? If not, to what relief is he entitled to ?

Shri Ram Sarup workman alleged that he has in the service of respondent management. His services were terminated in contravention of section 25 (F) of the Industrial Disputes Act, 1947. He has prayed for his re-instatement with continuity in service and with full back wages.

Notice was served upon respondent. Respondent did not appear in spite of service. *ex parte* proceedings were taken up against the management. To-day the case was fixed for recording of *ex parte* evidence. Workman as well as his authorised representative both absented, so this reference is dismissed in default.

V. P. CHAUDHARY,

Dated 14th October, 1985.

Presiding Officer,
Labour Court, Ambala.

Endst. No. 2761, dated 20th November, 1985.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab/11050.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Pankaj Woollen Mills, Panipat (Haryana).

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 85 of 1985

between

SHRI RAJPAL WORKMAN AND THE MANAGEMENT OF THE M/S PANKAJ
WOOLLEN MILLS, NEAR PREM MANDIR, PANIPAT (HARYANA)

Present:

None for workman.

None for respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—*vide* clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shri Raj Pal, workman, and the management of M/s. Pankaj Woollen Mills, Panipat (Haryana). The terms of the reference are as under :—

Whether the termination of services of Shri Raj Pal, workman, was justified and in order?
If not, to what relief is he entitled to.

Shri Raj Pal workman alleged that he was in the service of respondent-management. His services were terminated in contravention of section 25 (F) of the Industrial Disputes Act, 1947. He has prayed for his re-instatement with continuity in service and with full back wages.

Notice was served upon the respondent. Respondent did not appear inspite of service. *Ex parte* proceedings were taken up against the management. Today the case was fixed for recording of *ex parte* evidence. Workman as well as his authorised representative both absented, so this reference is dismissed in default.

Dated 14th October, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No. 2762, dated 20th November, 1985

Forwarded (four copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab./11051.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s. Ashoka Industries, Industrial Area, Panipat.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 78 of 1985

between

SHRI SURAJ BHAN, WORKMAN AND THE MANAGEMENT OF M/S. ASHOKA INDUSTRIES,
INDUSTRIAL AREA, PANIPAT

Present :

Shri Karam Singh for the workman.

None for the respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—*vide* clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute, between Shri Suraj Bhan workman and the management of M/s Ashoka Industries to this Court. The terms of reference are as under :—

Whether the termination of services of Shri Suraj Bhan, workman, were terminated in accordance with law ? If not, to what relief is he entitled to ?

Shri Suraj Bhan workman in his demand notice alleged that he has been working in the respondent concern since 1st January, 1965. The respondent-management terminated his services without issuing any notice, or making payment of the pay of notice period. Retrenchment compensation was also not paid to him which is clearly violative to section 25 (F) of Industrial Disputes Act, 1947.

Respondent-management was served through registered letter to which he refused to accept. On the basis of report of the postman *ex parte* proceedings were taken up against the management. Shri Suraj Bhan appeared as AWT he supported his case as briefly narrated above.

I have heard learned authorised representative of workman and have gone through the *ex parte* evidence available on the file and of the considered opinion that Shri Suraj Bhan was employed in the firm of the respondent, his services were terminated illegally. The behaviour of management is most undesirable because it even did not bother to accept the notice on the basis of the same, *ex parte* proceedings were taken up against the management.

I order the re-instatement of Shri Suraj Bhan workman with continuity in service and with full back wages, as well as all other benefits to which he is entitled to.

V. P. CHAUDHARY,

Dated, the 6th November, 1985.

Presiding Officer,
Labour Court, Ambala.

Endst. No. 2763, dated the 20th November, 1985

Forwarded (four copies) to the Financial Commissioner & Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab/11055.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of The Secretary, Haryana State Electricity Board, Chandigarh, (ii) The Executive Engineer, City Division, H. S. E. B., Gohana Road, Panipat (Haryana).

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA.

Reference No. 67 of 1985

SHRI BALWAN SINGH, WORKMAN AND THE MANAGEMENT OF SECRETARY,
HARYANA STATE ELECTRICITY BOARD, CHANDIGARH AND THE EXECUTIVE
ENGINEER, CITY DIVISION, H. S. E. B., GOHANA ROAD, PANIPAT (HARYANA)

Present :

Shri Karan Singh for workman.

Shri S. S. Sirohi for respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—*vide* clause (c) of sub-section (1) of section (10) of the Industrial Disputes Act, 1947 referred the following dispute between Shri Balwan Singh, workman, and the management of the Secretary, Haryana State Electricity Board, Chandigarh and the Executive Engineer, City Division, H.S.E.B., Gohana Road, Panipat. The terms of the reference are as under :—

Whether the termination of services of Shri Balwan Singh, workman, was justified and in order ?
If not, to what relief is he entitled to ?

Workman Shri Balwan Singh has challenged his termination order dated 1st September, 1983 alleging to be violative to sections 25 (F) and 9 (A) of the Industrial Disputes Act, 1947 and he prayed for his re-instatement with continuity in service and with full back wages.

Notice was served upon to respondent. It appeared and contested the dispute. On the pleadings of the parties the following issues were framed :—

ISSUES :

- (1) Whether the impugned termination order is just ? If not, its effect ? OPM
- (2) Whether the claim is bad for non-joinders of necessary parties ? OPM
- (3) Whether the applicant has no cause of action ? If so, its effect ? OPM
- (4) Relief.

The case was fixed for evidence of the respondent-management. Parties compromised the dispute. Respondent has taken the workman in service. Workman is satisfied, so I pass my award accordingly.

Dated the 6th November, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No 2767, dated the 20th November, 1985

Forwarded (four copies,) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab./11056.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of (i) The Secretary, Haryana State Electricity Board, Chandigarh and (ii) The Executive Engineer, City Division, H.S. E. B., Gohana Road, Panipat, (Haryana).

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA

Reference No. 58 of 1985

SHRI HABIB, WORKMAN AND THE MANAGEMENT OF THE SECRETARY, HARYANA STATE ELECTRICITY BOARD, CHANDIGARH AND THE EXECUTIVE ENGINEER, CITY DIVISION, H.S.E.B., GOHANA ROAD, PANIPAT (HARYANA)

Present :

Shri Karam Singh for workman.
Shri S. S. Sirohi for the respondent.

AWARD

The Hon'ble Governor of Haryana, in exercise of the powers conferred,—vide clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shri Habib workman and the management of the Secretary, Haryana State Electricity Board, Chandigarh and the Executive Engineer, City Division, H. S. E. B., Gohana Road, Panipat. The terms of the reference are as under :—

Whether the termination of services of Shri Habib workman was justified and in order ? If not, to what relief is he entitled to ?

Workman Habib has challenged his termination order dated 1st September, 1983 alleging to be violative to sections 25(f) and 9(A) of the Industrial Disputes Act, 1947 and he prayed for his reinstatement with continuity in service and with full back wages.

Notice was served upon respondent. It appeared and contested the dispute. On the pleadings of the parties the following issues were framed :—

Issues :

- (1) Whether the impugned termination order is just ? If not, its effect ? OPM
- (2) Whether the claim is bad for non-joinders of necessary parties ? OPM
- (3) Whether applicant has no cause of action ? if so, its effect ? OPM
- (4) Relief.

This case was fixed for evidence of the respondent-management. Parties compromised the dispute. Respondent has taken the workman in service. Workman is satisfied, so I pass my award accordingly.

Dated 6th November, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No. 2768, dated Ambala City, the 20th November, 1985

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.